

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

**January 23, 2007**

**FROM:**       **MICHAEL E. HAYS**, Director  
Land Use Services Department

**SUBJECT:   WORKSHOP ON THE GENERAL PLAN UPDATE PROGRAM**

**RECOMMENDATIONS:**

1. Conduct a workshop regarding the General Plan Update Program including: the General Plan goals, policies and maps; the preparation of 13 community plans; a complete revision to Title 8 of the San Bernardino County Code (the Development Code); and the Environmental Impact Report;
2. Provide staff with direction regarding any changes to the program documents; and
3. Continue to the public hearing on March 6, 2007 for consideration of the adoption of the General Plan Update Program.

**BACKGROUND INFORMATION:** On December 12, 2006, the Board of Supervisors (Board) conducted the second of two workshops that were scheduled for the Board to review the General Plan Update (GPU) Program. The workshops were organized to provide an overview of the major components of the update program. The first workshop focused on the General Plan and the Community Plans, and the second workshop focused on the Development Code. Board members raised several questions following the staff presentation and public testimony and indicated that they would like additional time to become better informed on certain details of the program. Thus, the workshop was continued to January 23, 2007 to respond to Board questions. The analysis presented below addresses the main topics that were the subject of Board questions.

**Board Member Issues**

- **Would it be beneficial to conduct additional community plan meetings?**

As the Board is aware, a key component of the general plan update project is the preparation of 13 community plans – two in the Valley Region, six in the Mountain Region and five in the Desert Region. These community plans identify goals and policies that are unique or important to each particular community. The plans are organized by general plan element to correspond to the countywide goals and policies. To aid County staff and the general plan update consultants in the re-establishment of community plans, advisory committees were established within each community plan area. These committees provided invaluable

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assistance in formulating the community goals and policies and facilitating public input into each plan. Throughout the entire community plan process, at least 97 different meetings were conducted in preparation of the 13 draft community plans. There were 23 additional meetings throughout the County early in the update process seeking public input for the Vision Statement. All of the public meetings for the community plans and visioning process were noticed in local newspapers.

There have been numerous meetings for the various community plans. The following is a break down of these meetings by community plan:

<b>Community Plan</b>	<b>Public Meetings</b>	<b>Committee Meetings</b>	<b>Total</b>
Bear Valley	3	1	4
Bloomington	3	5	8
Crest Forest	2	2	4
Hilltop	4	0	4
Homestead Valley	2	1	3
Joshua Tree	3	4	7
Lake Arrowhead	5	5	10
Lucerne Valley	3	18+	21+
Lytle Creek	3	3	6
Morongo Valley	3	2	5
Muscoy	3	6	9
Oak Glen	4	1+	5+
Phelan/Pinon Hills	5	6+	11+
<b>Totals</b>	43	54+	97+

+ = Additional committee and sub-committee meetings were conducted without County staff present. Exact number is unknown.

There have also been eight public hearings with the Planning Commission on the GPU Program with three focusing on the community plans – one hearing for each of the three regional areas of the County. Since the community plans had already been addressed at previous hearings, the topic was always open for discussion at later hearings. With the many public meetings on the community plans that have been conducted, staff believes that there has been ample opportunity for the public to address the issues of the community plans and that further meetings to focus on the community plans are not warranted.

As an integral part of the overall Plan, community plans must be consistent with the General Plan. Community plans build upon the goals and policies of each element of the General Plan. Regional policies have been developed within the General Plan, which address policies that are common to each of the three geographic regions of the County. There is a certain commonality between the community plans within a specific region. The overarching theme for these plans is to maintain the rural character of the various communities for which the plans were prepared. Community plan goals have been customized to meet the specific needs or unique circumstances or wishes of individual communities. The goals and policies

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within community plans guide development in a manner that maintains the existing balance of land uses, preserves the character of the community, and complements existing development.

- **Address the holding zone concept vs. "urban reserve."**

The "holding zone" concept was integral to the 1988 Bear Valley Community Plan. It was a growth management strategy devised to address concerns over adequate water supply during the original community plan preparation in the Big Bear Lake area. It assigned appropriate land use designations to suitable undeveloped large parcels. For residentially designated large parcels, a very low density was assigned that would prompt the requirement for a future General Plan Amendment and specific project design that would consider the infrastructure availability, fire safety and other specific project design issues on a case-by-case basis. Since 1989, the County General Plan is based on the "one-map" system. With this system, specific guidance for the location of future development in the long term is not provided. It is the General Plan policies that are intended to guide the evaluation of individual projects rather than mapped future land use potential. Countywide policies are enhanced by the policies contained in the community plans to set the character of a specific area and provide guidance for further growth. The "Urban Reserve" concept that could be used to convey suitability for more intensive future land uses would be difficult to implement under the current "one-map" system.

- **How can the County require rental property owners to maintain their rental homes to established standards?**

Any property that is not adequately maintained and becomes a nuisance would be subject of code enforcement action. If the property is a short-term rental, the Short-Term Private Home Rental Permit may be revoked and/or may not be renewed for subsequent years. If the Board is interested in greater control and enforcement of rental properties, the Board could amend the Development Code to require a rental permit similar to the Short-Term Private Home Rental Permit or require a business license for apartments and even single-family residences.

- **Re-examine Infrastructure Improvement Standards and the net vs. gross calculation methods.**

**Infrastructure Improvement Standards:**

In keeping with direction to ensure the General Plan is a "policy" document, the Infrastructure Standards are being moved from the General Plan to the Development Code. The purpose of these standards is to establish the infrastructure improvements required for proposed development to ensure orderly development. The intent is to require an appropriate range of infrastructure facilities and services necessary to support future growth. The requirements are based upon the direct relationship between the intensity of land uses and the amounts of facilities and services that are needed to support the uses. As in the current General Plan,

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these standards are incorporated into the Code by region – Valley, Mountain and Desert. The Desert Region requirements incorporate the principles of desert rural standards.

Clarification and refinement of the Infrastructure Improvement Standards have been a point of discussion since they were introduced to the Planning Commission at the October 19, 2006 hearing. The primary concerns over these standards, as voiced in the testimony received at the various hearings and in the numerous letters in opposition, have been over the paving requirements for parcel map applications and the water requirements in the Desert Region. There were also questions whether these standards apply to existing lots of record or just to new subdivisions.

**Paving:** After reviewing all of the questions relative to the paving issue, staff has revised the Infrastructure Improvement Standards to require paving for parcel map applications only where the subdivision is adjacent to an existing paved road.

**Applicability:** Since the last Board workshop, staff has revised Section 83.09.020 (Applicability) to clarify that the Infrastructure Improvement Standards outlined in Tables 83-09, 83-10 and 83-11 will only apply to new subdivisions of land and development on commercial, industrial and institutional projects. This section now reads as follows:

*“The standards provided in this Chapter apply to all new residential and nonresidential subdivisions and non-residential development in the Valley Region, Mountain Region, and Desert Region of the County. Where indicated, some of these standards may apply to ministerial permits such as building permits. Infrastructure requirements for residential development on existing lots of record are listed in Section 84.21.030 (Minimum Residential Construction Standards) and Section 84.16.040 (Development Standards Applicable to All Multi-Family Projects).”*

As stated in the section quoted above, the standards that apply to existing lots of record for residential development have been extracted from the tables and have been added to the provisions for Single-Family Residential Dwellings and Multi-Family Residential Development Standards. These changes are included in Attachment 1. Because the circumstances regarding developing existing lots of records can vary tremendously, greater flexibility is built into these provisions and allows the Public Works Department greater latitude in determining exactly what is needed for each specific parcel being developed.

**Water:** The requirements for water and sanitation are important factors relative to these infrastructure improvement standards. The County must ensure that there is adequate area in newly subdivided parcels to provide for reliable potable water supply and proper wastewater disposal. The Updated Code requires projects with urban scale development (new parcels less than 2.5 acres) to connect to a water purveyor and that wells should only be permitted for new subdivisions on parcels that are at least 2.5 acres. Contemporary development standards also call for the elimination of hauled water as a method of meeting assured water requirements.

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However, there is a need to allow for alternate standards for existing lots of record. Consequently, the standards for these parcels have been added to the standards for single-family and multi-family residential projects in Sections 84.16.040(l) and 84.21.030(g). The standards that will continue to apply to residential development on existing lots is as follows:

*“Water purveyor: Required when in the service area of a water purveyor and the purveyor can supply the water.*

*Substantiated well water: If the subject parcel is not within the service area of a water purveyor, well water may be allowed if all required setbacks are met.*

*Hauled water: If the well setbacks cannot be met or studies indicate there is no groundwater, hauled water may be permitted.”* [This provision shall not apply to multi-family residential project. Hauled water will not be an option for these types of projects.]

The standards for residential development on existing lots of record relative to sanitation have been amended to state:

*“Sewer: Required when in the service area of a sewer provider and the subject parcel is within 200 feet of the sewer line.*

*Septic systems/Holding tanks: Allowed in compliance with the local Regional Water Quality Control Board regulations.”*

**Parcel Area Calculations:**

With the elimination of the Improvement Levels that are part of the current General Plan, the General Plan Update strives to make a clear delineation between urban and rural areas through policy and through the General Development and Use Standards and the Infrastructure Improvement Standards in the Code. The desire is to identify what is urban vs. what is rural and what distinguishes the differences between the two. Staff believes that the land use zoning districts make a clear distinction of urban vs. rural styles of development and have defined urban vs. rural in the General Development and Use Standards Chapter of Division 3 of the new code. Urban land use zoning districts are listed as Single Residential (RS), Multiple Residential (RM), Special Development (SD) and all commercial, industrial and institutional land use zoning districts. Rural land use zoning districts are listed as Resource Conservation (RC), Agriculture (AG), Rural Living (RL), Floodway (FW) and Open Space (OS). Included in these definitions of urban vs. rural is the requirement to use net area calculations in determining the minimum parcel sizes of new subdivisions of land within urban zoning districts.

During the course of the various Planning Commission hearings on this project, several members of the public have expressed their concern with the provisions regarding the method of calculating the minimum parcel area for subdivisions. The regulations in the current Development Code are based upon the land use zoning districts in which the parent parcel is

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located. If it is located within a land use zoning district that has a minimum parcel size of one acre or more, the parcel size calculations are based on the gross area. If the parent parcel is located within a land use zoning district that has a minimum parcel size of less than one acre, the parcel size calculations are based on the net area, exclusive of any area within abutting planned rights-of-way. These standards have produced subdivisions within RS-1 (Single Residential-one acre minimum parcel size) Land Use Zoning Districts with parcels that are as low as 0.54 acres in area. Tentative Tract 17232 was recently approved in Phelan and is an example of this. There are 23 parcels within this 50-lot tract that are under three-fourths of an acre net. Tentative Parcel Maps 16777, 17466, and 18107 in Phelan and the unincorporated area in Apple Valley are further examples of subdivisions with resultant parcels less three-fourths of an acre net within RS-1 zoning. The proposed code update defines the RS district as an urban designation and, therefore, net area calculations are to be used.

There are nearly 1,300 parcels that are more than two acres in size within RS-1 designations in the Desert Region that are capable of being further subdivided to one acre minimum lot size. This means that there is the potential for at least 2,600 new parcels in the Region if each one was just divided into two. Since these parcels comprise nearly 14,000 acres, some parcels are large enough to create three, four or more resultant parcels. This would be a dramatic increase in the total number of parcels in the RS-1 zone and would obviously create a concern over the proper disposal of wastewater as well as adequate water supply. The RS-1 zones in the Desert Region represent a higher density design for development in the region with a predominance of on-site septic systems. The Regional Water Quality Control Boards require that parcels using septic systems need enough area within the parcel for 100% replacement of the system. The change to use net area calculations in RS-1 zoning will help ensure that there is sufficient area within a parcel for wastewater disposal and will help ease concerns over these systems and their proximity to existing wells. The requirement for water to be supplied through community systems will ensure sustainable, long-term supplies that do not rely on individual wells that add to over-drafted groundwater conditions as these areas are built out.

The requirement to use net area calculation method for the RS-1 zone will contribute to lower density and develop land use patterns that are more consistent with the rural character of the community plan areas in the Desert Region. Additionally, it will avoid confusion in calculating minimum parcel sizes for all Single Residential districts and bring consistency among the various RS zones (RS, RS-10,000, RS-14,000, RS-20,000 and RS-1).

A related aspect of this issue is to determine if there are any areas within a parcel that should be excluded when computing the resultant parcel sizes within a proposed subdivision. This determination is important so that minimum parcel sizes can be met for all proposed Parcel Maps and Tracts. The Development Code Update is currently drafted to exclude (1) a vehicular access easement through the parcel; (2) any easement completely restricting or prohibiting any use of the property, for ingress, egress, landscaping, recreation, storage, etc.; or (3) the "flag pole" (access strip) of a flag lot. County staff members from Planning and the Surveyors Office believe that these areas should be excluded when computing minimum

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parcel sizes because there is an expectation that all of the minimum size of a parcel should be available to the property owner for his/her use and enjoyment.

- **Examine the merits of reduced standard seasonal parking requirements for Oak Glen, which has seasonal type businesses.**

Staff has added supplemental standards for those operations that are limited to three months of the year that encompass the harvest season of the agricultural product to which the tourism activity is an accessory use. Staff has also changed the standards for the number of parking spaces required, clarifying that the parking required is only for the commercial structures and not for the agricultural accessory uses such as U-pick operations.

- **Re-examine restaurant/food service uses as part of the agritourism requirements**

Restaurants would be included within the food services allowance but would require a Conditional Use Permit. Small incidental food services other than full-service restaurants may be approved with a Site Plan Permit. Such establishments would still need to be an accessory use to the agriculture operations.

- **Review the existing Fire Safety (FS) Overlay requirements to determine if emergency evacuation issues are adequately addressed.**

The Fire Safety Overlay requirements of the Development Code received a comprehensive overhaul in 2004 following the disastrous Old Fire and Grand Prix Fire of 2003. A Mountain Area Safety Task Force (MAST) consisting of fire officials, planners, building officials, builders, and community representatives was formed to review the current standards in existence at that time in light of observations and lessons learned for the 2003 fires. Several provisions were revised and new requirements added to the County Development Code in the Fire Safety Overlay adopted by the Board of Supervisors. Those standards have been carried forward into the new Fire Safety Overlay section of the draft 2006 Development Code Update. The current standards included in the draft Development Code represent an effective set of performance standards that must be met by individual building construction as well as development projects such as residential tracts. These standards were accepted as adequate mitigation by professional firefighters, building officials, and planners as adequate mitigation for wildland fire hazards in mountain and foothill communities.

Emergency evacuation issues are not addressed in the Fire Safety Overlay. Rather, they are included in the design of new subdivisions. Individual projects are evaluated on their impacts to the evacuation routes and mitigation measures are identified and implemented with project approval. Also, the Mountain Area Safety Task Force (MAST) will continue to function and evaluate evacuation procedures and techniques to build on the evacuation procedures in place. Individual members of the MAST will continue to receive referrals for development

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projects proposed for the Mountain Region that are submitted to the County for review and approval.

- **Are there any provisions in the GPU for "healthy communities" (parks, senior citizen housing)?**

Several General Plan goals and policies support the concept of healthy communities. Some example of these are LU 6 which promotes mixed land uses that create walkable communities, LU 7 which requires the distribution of land uses to be consistent with the maintenance of environmental quality and the conservation of natural resources, or policy CI 3.1 which encourages the reduction of automobile usage through various incentive programs.

Also, many of the attributes that are listed in the Vision Statement are characteristic of what healthy communities represent. They are an expression of the desires to have safe neighborhoods, convenient access to schools, safe and convenient transportation systems, clean air and reliable, safe drinking water are all components of the vision that, in turn, are reflected in General Plan goals and policies. The Development Code will need to be amended to incorporate these concepts into the land use regulations.

Also, the requirements of the Infrastructure Improvement Standards are in keeping with "healthy communities" and "smart growth" in that they provide for safe assured water, proper sanitation facilities, adequate fire flow, and paving, sidewalks and street lights where appropriate. The County role in recreation facilities has been limited to Regional Parks and the park dedication requirements for residential development projects. The amount of land to be dedicated for parks or recreation facilities or fees to be paid shall bear a reasonable relationship to the use or benefits of such facilities by the future residents of a subdivision. The current formula for computing the amount of land to be dedicated is 3 acres for every additional 1,000 increase in population. Larger residential projects may incorporate a local community park in the design of the project, and smaller projects may just be required to pay a fee.

- **How has anticipated population growth been addressed in the GPU and Community Plans in the Valley Region?**

Population growth is addressed in a number of goals and policies in the various elements of the Plan. These goals and policies require such things as ensuring (1) that infrastructure capacity is present for approval of new development projects, (2) that development pays its fair share of expanding infrastructure systems, and (3) that the conflicting demands between natural resource preservation and development proposals that are designed to accommodate additional growth are reconciled. It should be noted that only 16% of the total area within the Valley Region is unincorporated, with most of this area being within the various spheres of influence of the cities in the Valley. It is anticipated that the unincorporated areas within these spheres of influence will annex to their respective cities within the next decade.



Community plans in the Valley Region:

Land Use Strategy in Muscoy: With the anticipated growth in the Valley Region, staff recognizes that State Street will be a major arterial road connecting the I-210 and I-215 freeways, making it an obvious location for future commercial development and will be inappropriate for continuing residential uses. Higher density residential uses will be located on the east side where it can connect to the infrastructure (sewer) that is available from the City of San Bernardino. Lower density residential development with its larger lots will be located on the west side. The residents of the community have expressed their desire to maintain the rural life style that they enjoy today.

Land Use Strategy in Bloomington: The plan is to maintain the urban level of development that includes higher density residential and commercial uses to the north of the I-10 freeway, and maintain a range of different lot sizes that vary from smaller lots to parcel up to one acre in size to the south. The larger parcel sizes in the south allow up up-scale homes suitable for equestrian uses.

- **How has the County addressed "smart growth" issues?**

The features that distinguish smart growth vary from place to place. In general, smart growth invests time, attention, and resources in restoring community and vitality to center cities and older suburbs. Smart growth is transit and pedestrian oriented, encourages mixed-use development, and preserves open space as much as possible. The GPU incorporates land use policies which address all of these issues. They allow for mixed-use projects to be approved, and they provide for unique development opportunities and standards that may attract business parks and light industrial uses. Also, the Planned Development application process facilitates development of properties where greater flexibility in design is desired to provide a more efficient use of land than would be possible through strict application of land use district regulations. This process also serves as an alternative site planning process that encourages the more creative and imaginative planning of mixed-use multi-phased residential, commercial or industrial developments within the framework of a single cohesive development plan.

Policies requiring the assurance of adequate infrastructure capacity and development paying its fair share also apply and respond to the "smart growth" concerns. The new Development Code also addresses "smart growth" concerns by establishing greater development standards for multiple-family development projects.

- **What are the impacts of mixed-use communities on air quality?**

The design for mixed-use projects is important to ensure adequate buffering between sensitive uses, such as residential or institutional uses and more offensive uses such as some commercial or industrial uses, is maintained. Mixed-use development also allows for opportunities to enhance air quality by reducing the number of commuter trip miles traveled

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and thus reducing the vehicle emissions. Also, the County relies on the regulations established by the South Coast and Mojave Air Quality Management Districts to mitigate impacts to air quality created by specific development projects.

- **Wants to ensure that new development includes provisions for green belts, to lessen water run-off and to augment water percolation.**

The GPU includes Policy OS 1.5 relative to open space/park development, which will facilitate water percolation. Also, the Planned Development application process requires that at least 40% of the area being developed be reserved for private and common open space, providing greater opportunities to lessen water run-off and to augment water percolation.

- **How does the County address group homes in the development process?**

The Development Code only regulates land use regarding "group homes." They are classified for land use purposes as "social care facilities." The County does not regulate for the provision of services or target populations. State law preempts local land use regulations for residential facilities serving six or fewer persons. Therefore, such facilities are allowed in the same manner that any single-family residence would be allowed. The County does require a Conditional Use Permit or Minor Use Permit (discretionary actions that can be denied) for these facilities in zoning districts other than residential and for facilities serving seven or more individuals in residential districts.

- **Wants to ensure that there are "seamless boundaries" between city and county boundaries, to ensure that new development meets the same development standards from both an infrastructure and aesthetic perspective.**

Goal LU 9 and the policies under this goal require development to be in a contiguous manner as much as possible, that projects within city spheres of influence receive proper review, that they reflect densities and intensities comparable to adjacent cities and that city land use policies be considered. They also propose that the County consider the adoption of Sphere Standards Overlays where appropriate. Such Overlays may require that city standards be applied in a specific sphere area, or they may require standards that are a combination between city and county standards. Such overlays will help in the desire to create "seamless boundaries" between cities and unincorporated areas. Specific sphere standards overlays will be adopted on an individual basis at the direction of the Board of Supervisors. The Fontana Sphere of Influence has already been identified as one overlay that will need to go forward and be adopted as a follow-on action.

- **Wants to ensure that there are physical buffers between incompatible types of development.**

The Development Code contains standards that provide for buffering and screening between incompatible land uses. Such land uses are generally buffered by the land use patterns established by the zoning designations. The land use pattern for the unincorporated areas have been fairly well set by the previous zoning, with some exceptions. In West Fontana, the area north of the Speedway was rezoned to light industrial to provide an increase buffer between the Speedway and the residences to the north. Also, the area east of Cherry Ave. opposite the Speedway site is being re-designated to SD-COM (Special Development-focus on commercial) to provide buffering between the Speedway and the residences to the east. In the Oak Hills area, the County modified the land use designations to bring consistency between the City of Hesperia and the County and to bring a logical pattern of land use to ensure buffers between incompatible uses.

- **Are greenhouse gas emissions addressed in the GPU?**

Assembly Bill 32, the "California Global Warming Solutions Act of 2006," was signed into law by the governor in late September 2006, after the Draft Environmental Impact Report (EIR) for the GPU was released for public review. This new law requires the California Air Resources Board (CARB) to develop regulations to establish a reporting system that identifies current emissions of greenhouse gases, and to establish a reduction system. As of November 2006, the CARB had not issued any guidance to counties or other agencies on greenhouse gases or implementation of AB 32 through the California Environmental Quality Act (CEQA) process.

The CARB is required to determine the level of statewide greenhouse gas emissions in 1990, and the new regulations must reduce greenhouse gas emissions to this level. The program will regulate not only utilities, but the entire range of public and private entities that produce greenhouse gases, including manufacturers and other companies in the chemical, life sciences, technology, oil and gas, waste management, agriculture, and health care industries, among others. The details of the program will be elaborated through rule making by the California Air Resources Board. The bill makes no mention of local governments or how cities and counties may be affected by future regulations. The regulations developed by CARB in response to AB 32 will address point sources of greenhouse gas emissions, and they may also address mobile sources such as automobiles. At this point in time, it is clear that the issue of greenhouse gas reductions extends well beyond the scope of local government actions incorporated in General Plans.

Nevertheless, the County of San Bernardino recognizes the importance of this issue. Goals and policies already incorporated into the General Plan will serve to reduce vehicle trip generation when compared to existing conditions. Briefly, these Goals and Policies include ensuring good air quality by (1) controlling fugitive dust, (2) coordinating air quality improvement technologies with the South Coast and the Mojave Air Quality Management Districts, (3) coordinating with all airport operators for a diverse and efficient ground and air transportation system that generates the minimum feasible pollutants, (4) establishing incentives and/or regulations to eliminate work trips, (5) participating with public transit

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providers in a cooperative program to increase transit services, and (6) a variety of other policies and programs.

- **Staff is asked to address if there is encroachment occurring with respect to the existing agricultural preserves.**

With the increased growth within the County, there are always pressures to encroach upon lands within agricultural preserves. In recent years, the largest Agricultural Preserve within the County, the Chino Dairy Preserve, was annexed to the cities of Chino and Ontario. This leaves only a few Agricultural Preserves left within the unincorporated areas of the County. The most notable preserves are in the Mentone/Crafton Hills area, Oak Glen and a few areas in the Desert Region. The County will have to evaluate each project within an Agricultural Preserve closely to ensure valuable agricultural lands are not lost to development. The General Plan contains goals and policies that address the protection of agricultural lands. These goals and policies include the goal to balance productivity with the conservation of soil resources and policies to (1) protect prime agricultural lands from the adverse effects of urban encroachment, (2) allow the development of areas of prime agriculture lands supporting commercially valuable agriculture to urban intensity when it can be demonstrated that there is no long-term viability of the agricultural uses due to encroaching urbanization, and (3) preserve prime and statewide important soils types, as well as areas exhibiting viable agricultural operations.

- **Examine the merits of implementing a business license fee for the owners of multi-family rental housing in the unincorporated County.**

The County Development Code is the legal authority for land use and development related activity in the unincorporated County area. The issuance of business licenses is addressed in Title 4 of the County Code. The authority to administer Title 4 is not held by the Land Use Services Department. Planning staff would be willing to coordinate with the appropriate County agencies to analyze the issues surrounding the implementation of a business license for multi-family rental housing. If the Board is interested in greater control and enforcement of rental properties, the Board could amend the Development Code to require a rental permit similar to the Short-Term Private Home Rental Permit that was just adopted in August of 2006. Such permit could be required on a biennial basis and require inspections of each property to ensure proper maintenance is being performed in order to renew the permit.

- **Review the possibility of the County confiscating vehicles which are used in illegal dumping activity**

The State legislature recently passed AB 2253, which was signed by the governor on September 29, 2006. This new law addresses this issue and authorizes a court to impound a vehicle used in the illegal dumping of waste matter for a time period of up to six months, upon the misdemeanor or felony conviction of a person for the illegal dumping of waste matter on public or private property.

- **Provide a brief explanation, including the appropriate document citations, regarding all biking and hiking trail-related policies within the General Plan.**

The General Plan Update includes three goals and 16 policies in the Open Space Element related to biking and hiking trails. Goal OS 1 states that County will provide plentiful open spaces, local parks, and a wide variety of recreational amenities for all residents. Goal OS 2 speaks specifically to trails by saying that the County will expand its trail system for pedestrians, equestrians, and bicyclists to connect with the local, State, and Federal trail systems. The policies under this goal speak of providing a regional trail system to furnish continuous interconnecting trails that serve major populated areas of the county and to provide major backbone linkages to which community trails might connect. The policies speak of funding mechanisms, of using lands already in public ownership, and of encouraging dedication or offers of dedication of trail easements where appropriate. With these goals, policies and programs in mind, staff believes it would be appropriate for the County to prepare a formal Trails Plan that would address regional and local trails. This plan would identify potential trail alignment, how the County would receive dedicated lands and what agency would have jurisdiction for trail construction and maintenance.

#### **Development Code Revisions**

The following is a short description of the changes to the Development Code that have been made since the December 12<sup>th</sup> workshop. The main areas in the Code that still warranted further discussion are the provisions for the Infrastructure Improvement Standards and the calculation methods for determining minimum parcel sizes for subdivisions of land. Other miscellaneous amendments have been made and are included in Attachment 1.

#### **❖ MOBILE HOME PARKS IN THE RURAL LIVING (RL) LAND USE ZONING DISTRICT:**

Upon further consideration of the criteria and standards for mobile home parks in the Rural Living Land Use Zoning District, staff believes that mobile home (manufactured home) parks represent an urban density and style of residential use that are not appropriate in the RL zone. Consequently, staff is recommending that the land use table in the new Development Code be amended to delete mobile homes parks from being allowed in the Rural Living Land Use Zoning District. This recommendation is based on a comprehensive review of the various residential land use types that was part of the General Plan Update. The update to the County Development Code has provided a forum for examining the variety of land use types that are allowed within each zoning district. Review of the Rural Living Zoning District concluded that mobile home park constitute a higher density residential style development that is better suited to the Single Residential, Multiple Residential and Special Development Zoning Districts. These three zones provide ample opportunity for accommodating this housing style. The proposed change will improve compatibility and uniformity in housing types and provide a greater sense of predictability in the range of housing types that can be expected within the various land use zoning in San Bernardino County.

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**❖ MISCELLANEOUS CHANGES:**

Several miscellaneous changes have been made to the Development Code since the last Board workshop. Primarily, these are minor changes that provide additional clarification of various code provisions. They have been presented to the Planning Commission and are included in Attachment 1.

**REVIEW BY OTHERS:** This item has been reviewed by County Counsel (Robin Cochran, Deputy County Counsel, 387-8957) on January 16, 2007 and the County Administrative Office (Daniel R. Kopp, Administrative Analyst, 387-3828) on January 16, 2007.

**FINANCIAL IMPACT:** There are no financial impacts for this workshop.

**SUPERVISORIAL DISTRICTS:** All

**PRESENTER:** Randy Scott, Deputy Director Advance Planning, 387-0236